

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

BRADEN MAUER-BURNS,

Plaintiff,

v.

LIVE NATION ENTERTAINMENT,
INC., JOHN/JANE 1-10, fictitious
persons; ABC CORP. 1-10, fictitious
entities,

Defendants.

Civil Action No. 1:23-cv-21976-CO-MJS

NOTICE OF MOTION TO DISMISS

Return Date: February 5, 2024

TO: Mark Robert Natale, Esq.
Malamut & Associates, LLC
457 Haddonfield Road
Suite 500
Cherry Hill, New Jersey 08002
Attorneys for Plaintiff

PLEASE TAKE NOTICE, that on February 5, 2024, at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, as attorneys for Defendant Live Nation Entertainment, Inc., d/b/a Live Nation (“Defendant” or “Live Nation”) will move before the Honorable Christine P. O’Hearn, U.S.D.J. at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets Room 1050, Camden, New Jersey 08101, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff’s Complaint in its entirety.

PLEASE TAKE FURTHER NOTICE that in support of its motion, Defendant will rely on the Memorandum of Law and Certification filed and served herewith.

A proposed form of order accompanies this motion.

Respectfully submitted,

FISHER & PHILLIPS LLP

Attorneys for Defendant

By: s/Christopher J. Capone
Christopher J. Capone

Dated: January 3, 2024

CERTIFICATE OF SERVICE

On this date, I caused copies of the foregoing: (1) Notice of Motion; (2) Memorandum of Law; (3) Certification of Counsel; and (4) proposed form of Order to be filed via the Court's official CM/ECF system. By virtue of this filing, service is complete upon:

Mark Robert Natale, Esq.
Malamut & Associates, LLC
457 Haddonfield Road
Suite 500
Cherry Hill, New Jersey 08002
Attorneys for Plaintiff

Respectfully submitted,

FISHER & PHILLIPS LLP

Attorneys for Defendant

By: s/Christopher J. Capone
Christopher J. Capone

Dated: January 3, 2024